

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

No. 2:12-md-02323-AB  
MDL No. 2323

**RESPONSE TO MOTION FOR ORDER TO SHOW CAUSE BY BROWNGREER**  
(Re: Documents # 11429, and Corrected 11430)

In response to BrownGreer's Motion for Order to Show Cause against the underlying firm, undersigned counsel clarifies the simplicity of its Florida Court action and the abject non-involvement with legitimate civil NFL Claims investigations, but solely acting to protect attorney work product and attorney client privileged communications that have been breached. Undersigned law firm has the legal and professional ethical obligations to protect attorney work product and attorney client communication privileges and is required by law and rules of professional responsibility to do so when our law firm has been the victim of an illegal breach of our email servers, as perpetrated by, or facilitated by Defendants. The Undersigned also has the right to have these criminal violations adjudicated free of the bias of the purview of the NFL Concussion Settlement. We are claiming legal, ethical, and criminal violations that, on their face, have nothing to do with the Rules of the NFL Concussion Settlement, nor the Eastern District of Pennsylvania. Our email was hacked by Defendants, and/or by consent for related parties to illegally hack our private law firm email servers. Simply stated.

The Complaint seeking Injunctive Relief is in no way a ploy to intermeddle with the NFL Concussion Claims processes. Rather, the named Defendants in our Complaint seeking Injunctive Relief, rightly filed in the Second Judicial District, in and for Leon County, Florida, where the law firm is located and where the violation has taken place, is seeking relief from the crime committed against this law firm by the outright, admitted, and evidenced hacking of our

private law firm email server. In so doing, Defendants are blatantly violating our Constitutional right to privacy, (Florida) State law against illegal wire-tapping and our right to protect attorney work product and attorney-client communication privilege.

This matter has nothing to do with the NFL Concussion Settlement in so far as this law firm properly asserting its rights to prevent the willful criminal conduct that has victimized this law firm, as perpetrated directly, or as accessories, by all of the named Defendants to our Complaint Seeking injunctive Relief, filed in State Court. By demanding our Federal and State rights not to be victimized by the aforementioned criminal conduct of illegal wire-tapping, we emphasize that our Complaint Seeking Injunction not be biased under the wrongful purview of this Court, as our Complaint, on its face, has nothing to do with the NFL Concussion Settlement. Our civil rights have been violated, and in no instance in the Rules of the NFL Concussion Settlement are such unconstitutional criminal violations perpetrated by the NFL Claims Administration and related parties in pursuit of a civil investigation regulated. This court does not have the right, nor is equipped to adjudicate the matter at issue by claiming original jurisdiction. This court does not have original jurisdiction over the abovementioned criminal violations.

Over two months ago, undersigned reasonably and professionally requested in writing that BrownGreer and other Defendants disclose the source of the illegal breach of this law firm's attorney work product and attorney client communication privileges. These inadvertent communications mistakenly sent to a non-existent in-house email address had nothing to do in any fashion with any NFL claim. To cover its willful misconduct, BrownGreer choses to hide its illegal activities, and has offered no response to our written inquiries as to how they illegally received such information.

In a failed attempt to obfuscate the basic and simple goals of protecting attorney work product and attorney client communication privilege, BrownGreer's Motion for Order to Show Cause and extensive exhibits now tries to claim that criminally violating these privileges is essential for civil investigations. That is simply not so. No court of law would permit this willful misconduct.

BrownGreer claims there is exclusive federal jurisdiction in the United States District Court for the Eastern District of Pennsylvania to adjudicate criminal violations of attorney work product and attorney client communication privileges of this firm or any law firm. That is false. These foundational rights are the jurisdiction of every attorney in every state and federal court and every attorney can apply to the courts in their respective state to protect and enforce these rights.

What is particularly telling in its Motion for Order to Show Cause, is that BrownGreer admits its willful misconduct in violating foundational legal attorney work product and attorney client communication privileges.

BrownGreer admits that it is, at the very least, willfully complicit in an illegal breach of attorney client work product and communication privileges, for which they were put on notice over two months ago in writing by the Undersigned. In their current Motion for Order to Show Cause BrownGreer finally admits that there is a "confidential informant" that it willfully works with to perpetrate this legal and professional misconduct. Consequently, only through filing the disputed state court injunction action to protect its attorney client work product and communication privileges has any information relating to this criminal violation been provided by Defendants.

There can be no “confidential informant” under the sun who has access to our law firm email servers, unless illegally begotten by the Defendants, or by another agency who illegally transmitted this information to Defendants, who are in turn accessories to this crime. Under the law and rules of professional responsibility, undersigned’s law firm is entitled to know the details and source of this willful breach of these foundational legal privileges.

WHEREFORE undersigned hereby implores that BrownGreer and the other Defendants, who are engaged in willful criminal misconduct and abuse of their authority granted by the Honorable Judge Brody, be investigated and sanctioned for this misconduct in the proper venue, which is not within the original jurisdiction of this Court. Our Complaint Seeking Injunctive Relief, rightly filed in the Second Judicial Circuit, in and for Leon County, Florida, seeks the immediate termination of this willful criminal misconduct of wire-tapping, in violation of the attorney work product and attorney client communication privileges of this law firm, and that the sources of the current breaches and any others involving this law firm be judicially compelled to be provided to the undersigned by the proper Court. Defendants have acknowledged that they have engaged in these legal, ethical, and criminal violations in pursuit of a civil investigation by admitting to a “confidential informant,” and further, after being put on notice that the information at issue was obtained via illegal wire-tapping, have acquiesced to the use of such information in a civil investigation, have thereby unquestionably committed a criminal act directly, or are accessories to a criminal act.

Undersigned also requests, on behalf of any other law firm that may have been subject to such willful misconduct by BrownGreer, in violation of these foundational privileges, that these other law firms be informed of breaches of their attorney work product and attorney client

communication privileges so that they can act as they are required under the law and rules of professional conduct to protect these privileges.

Respectfully submitted,

/s/ Richard Collins

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Response to Motion for Order to Show Cause has been served by electronic mail, on this 14th day of July, 2021, upon the following:

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